

1 building the station. We had to get the station built by a
2 certain period of time and we had to have somebody that was
3 going to work independently. We were going to send a man
4 1,000 miles away almost to work independently.

5 I didn't want somebody that was a total stranger.
6 So I think it would have been foolhardy to, to have hired
7 somebody that I didn't know that could do the job, 'cause this
8 is a very unique situation.

9 Q Was there any recruitment process, a formal
10 recruitment process for Mark Fountain?

11 A I think in this case it wasn't a formal recruitment
12 process that I would normally go about, because this was a, a
13 very unique situation.

14 Q It was understood that Mark Fountain would have that
15 job in Portland, correct?

16 A It was understood that we needed somebody that had
17 the qualifications and Mark met those qualifications. And
18 it's a rare find to find somebody like that under your nose,
19 especially somebody that had been trained on the, you know, we
20 knew he had been trained by people that were experienced. And
21 so this was a very key position, very important position.

22 Q Did Ben Miller have any input into the selection
23 process?

24 A Yes. I consulted with Ben to find out if Mark had
25 what we were looking for, because Ben would probably be the

1 only one that I knew of that would be able to qualify this
2 individual because Ben was experienced at building stations.
3 He's built hundreds of stations. And I wanted to make sure
4 that I had somebody that could work independently and that
5 could actually do the job and we could trust him with a
6 million dollars of equipment and to get the station on the air
7 in a period of time that we knew we had to be -- we had to get
8 it on the air.

9 Q So Ben Miller told you that Mark Fountain was your
10 man for that, that position?

11 A He did, he recommended him highly. Besides that, he
12 was single and could work day and night.

13 Q Would you turn to page 3 of this document? Did you
14 send this memo to Mark Fountain in Portland?

15 A Yes.

16 Q So he was already in Portland, working at the
17 station, on August 15, 1989, huh? Is that correct? That
18 would be one day --

19 A No, no.

20 Q -- after you made your final decision.

21 A I'm sorry, he wasn't, he wasn't in Portland then. I
22 was giving him the information ahead of time and -- No, he
23 wasn't already there. Unless I'm mistaken.

24 Q Well, would it have been your practice to draft a, a
25 formal memo to Mark Fountain giving him an STL license and

1 | telling him to post it at the transmitter? Or wouldn't you
2 | have just told him right there personally, here it is and do
3 | such and such?

4 | A It was -- On something like this, no, I'm absolute
5 | that I didn't send this to him. But I really think that he
6 | was still in -- there in the station. My purpose in putting
7 | things in writing for people is two-fold. One is I want them
8 | to get, get it straight. And if they mess up, I want some
9 | background to show them that I did tell them what to do. So I
10 | wouldn't have just told him. Mark was not familiar with
11 | public filing -- I mean, that was not part of his experience.
12 | And anything that would be something that he wasn't
13 | experienced with at all, I would have put it in writing. I
14 | wouldn't have just told him.

15 | Q Do you know when Mark Fountain went to Portland?

16 | A No, I really don't remember when Mark went. I don't
17 | have an exact date in my mind. That's why I said it. I'm not
18 | positive whether he was still -- But I would have written it
19 | whether he was there or whether he was in Portland.

20 | JUDGE CHACHKIN: Have you finished with this
21 | subject?

22 | MR. SCHONMAN: Yes.

23 | JUDGE CHACHKIN: All right, we're in recess till
24 | tomorrow morning at 9 a.m.

25 | (Whereupon, at 4:02 p.m., the hearing was adjourned.)

CERTIFICATE OF REPORTER, TRANSCRIBER, AND PROOFREADER

IN THE MATTER OF TRINITY BROADCASTING OF FLORIDA, INC.

Name AND GLENDALE BROADCASTING COMPANY

MM DOCKET NO. 93-75

Docket No.

WASHINGTON, D.C.

Place

DECEMBER 9, 1993

Date

We, the undersigned, do hereby certify that the foregoing pages, numbers 1736 through 1912, inclusive, are the true, accurate and complete transcript prepared from the reporting by MARYKAE FLEISHMAN in attendance at the above identified proceeding, in accordance with applicable provisions of the current Federal Communications Commission's professional verbatim reporting and transcription Statement of Work and have verified the accuracy of the transcript by (1) comparing the typewritten transcript against the reporting or recording accomplished at the proceeding and (2) comparing the final proofed typewritten transcript against the reporting or recording accomplished at the proceeding.

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Date

Lou Deosaran
Lou Deosaran

, Transcriber
Free State Reporting, Inc.

December 21, 1993

Date

Diane S. Windell
Diane S. Windell

, Proofreader
Free State Reporting, Inc.

December 21, 1993

Date

Marykae Fleishman
Marykae Fleishman

, Reporter
Free State Reporting, Inc.

FREE STATE REPORTING, INC.

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